Occupational Safety and Health Administration 200 N. High Street Room 620 Columbus, OH 43215

Phone: 614-469-5582 Fax: 614-469-6791



# Citation and Notification of Penalty

To:

Sancast, Inc. a subsidiary of Wabtec and its successors 535 Clow Lane Coshocton, OH 43812

Inspection Site: 535 Clow Lane Coshocton, OH 43812

7016 0910 0000 4171 5732

**Inspection Number:** 1163018

Inspection Date(s): 07/18/2016 - 07/18/2016

**Issuance Date:** 01/17/2017

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you either call to schedule an informal conference (see paragraph below) or you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

**Posting** - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

**Informal Conference** - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest — You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. <u>Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.</u>

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance. You can also make your payment electronically on <a href="https://www.pay.gov">www.pay.gov</a>. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on OSHA Penalty Payment Form. The direct link is:

https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

**Notification of Corrective Action** – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data — You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.

# U.S. Department of Labor Occupational Safety and Health Administration



# NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

. Employees and/or representatives of employees have a right informal conference.	to attend an
High Street, Room 620, Columbus, OH 43215 on at	
01/17/2017. The conference will be held by telephone or at the OSHA office locate	d at 200 N.
An informal conference has been scheduled with OSHA to discuss the citation(s) is	sued on

#### CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

**Inspection Number: 1163018** 

Company Name: Sancast, Inc. a subsidiary of Wabtec Inspection Site: 535 Clow Lane, Coshocton, OH 43812

Issuance Date: 01/17/2017

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: U.S. Department of Labor - Occupational Safety and Health Administration, 200 N. High Street, Room 620, Columbus, OH 43215 Citation Number \_\_\_\_ and Item Number \_\_\_\_ was corrected on \_\_\_\_ By (Method of Abatement): Citation Number and Item Number was corrected on \_\_\_\_\_ By (Method of Abatement): Citation Number and Item Number was corrected on \_\_\_\_\_ By (Method of Abatement): Citation Number and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_ By (Method of Abatement): Citation Number \_\_\_\_ and Item Number \_\_\_\_ was corrected on \_\_\_\_\_ By (Method of Abatement): Citation Number and Item Number was corrected on \_\_\_\_\_ By (Method of Abatement): I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement. Date Signature Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review

Typed or Printed Name

Occupational Safety and Health Administration Inspection Date(s): 07/18/2016 - 07/18/2016

**Inspection Number: 1163018** 

**Issuance Date: 01/17/2017** 



#### Citation and Notification of Penalty

Company Name: Sancast, Inc. a subsidiary of Wabtec Inspection Site: 535 Clow Lane, Coshocton, OH 43812

Citation 1 Item 1 Type of Violation: Serious

29 CFR 1910.23(a)(7): Every temporary floor opening shall have standard railings, or shall be constantly attended by someone:

a. On or about July 18, 2016, located on the melt deck, during the pouring of the furnaces and during the removal of a horizontal pin, an opening was created in the melt deck which exposed the employees to a fall hazard of approximately nine feet.

# ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: Proposed Penalty:

02/06/2017 \$9799.00

Occupational Safety and Health Administration Inspection Date(s): 07/18/2016 - 07/18/2016

**Inspection Number: 1163018** 

**Issuance Date:** 01/17/2017



#### Citation and Notification of Penalty

Company Name: Sancast, Inc. a subsidiary of Wabtec Inspection Site: 535 Clow Lane, Coshocton, OH 43812

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 2 a Type of Violation: Serious

29 CFR 1910.147(d): Application of control. The established procedures for the application of energy control (the lockout or tagout procedures) shall cover the following elements and actions and shall be done in the following sequence:

a. On or about July 18, 2016, located at the furnace #2 on the melt deck, employees were positioning the furnace in order to remove a pin while equipment and employees were still under the furnace. The employer failed to implement energy control application steps prior to positioning as the furnace was not shut down [per the 1910.147(d)(2)], sources of energy of 480 volt electrical disconnects isolated [(d)(3)] with LOTO device application [(d)(4)], the dissipation of residual energy in the hydraulics [(d)(5)] and the verification of isolation [(d)(6)], thereby exposing the employees to struck-by and/or caught-between hazard.

# ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: Proposed Penalty:

02/06/2017 \$9799.00

Occupational Safety and Health Administration Inspection Date(s): 07/18/2016 - 07/18/2016

**Inspection Number: 1163018** 

**Issuance Date: 01/17/2017** 



#### Citation and Notification of Penalty

Company Name: Sancast, Inc. a subsidiary of Wabtec Inspection Site: 535 Clow Lane, Coshocton, OH 43812

# Citation 1 Item 2 b Type of Violation: Serious

29 CFR 1910.147(f)(3)(ii)(D): Each authorized employee shall affix a personal lockout or tagout device to the group lockout device, group lockbox, or comparable mechanism when he or she begins work, and shall remove those devices when he or she stops working on the machine or equipment being serviced or maintained:

a. On or about July 18, 2016, located on the melt deck, three employees were involved in a group lockout/tagout to remove a pin from a furnace. Not all employees involved in the pin removal had locks their locks attached to all of the energy isolating devices, thereby exposing the employees to a struck-by and/or caught-between hazard.

# ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2017

Occupational Safety and Health Administration Inspection Date(s): 07/18/2016 - 07/18/2016

**Inspection Number: 1163018** 

**Issuance Date: 01/17/2017** 



# Citation and Notification of Penalty

Company Name: Sancast, Inc. a subsidiary of Wabtec Inspection Site: 535 Clow Lane, Coshocton, OH 43812

Citation 1 Item 3 Type of Violation: Serious

29 CFR 1910.179(g)(1)(v): Pendant control boxes shall be constructed to prevent electrical shock and shall be clearly marked for identification of functions.

a. On or about July 18, 2016, located on a 5 ton Shepard Niles overhead crane, serial number 68768 there was a pendant control box that had its back open, exposing the operators to an electrical shock hazard of approximately 110 volts.

# ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: Proposed Penalty:

02/06/2017 \$12471.00

Occupational Safety and Health Administration Inspection Date(s): 07/18/2016 - 07/18/2016

**Inspection Number: 1163018** 

**Issuance Date:** 01/17/2017



#### Citation and Notification of Penalty

Company Name: Sancast, Inc. a subsidiary of Wabtec Inspection Site: 535 Clow Lane, Coshocton, OH 43812

Citation 1 Item 4 Type of Violation: Serious

29 CFR 1910.243(c)(1): General requirements. Abrasive wheels shall be used only on machine provided with safety guards as defined in paragraph (c) (1) through (4) of this section:

a. On or about July 18, 2016, located on the Foundry Pangborn, an employee was operating a 7/9 inch Milwaukee right angel grinder, model number 6080-20, with a Premier 9 inch grinding wheel without a guard, thereby exposing the employee to a struck-by hazard.

# ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: Proposed Penalty:

01/27/2017 \$7839.00

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Occupational Safety and Health Administration Inspection Date(s): 07/18/2016 - 07/18/2016

**Inspection Number: 1163018** 

**Issuance Date:** 01/17/2017



#### Citation and Notification of Penalty

Company Name: Sancast, Inc. a subsidiary of Wabtec Inspection Site: 535 Clow Lane, Coshocton, OH 43812

Citation 2 Item 1 Type of Violation: Repeat

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees, in that employees were exposed to an electrical shock hazard, burn, struck-by and/or caught-between hazard.:

a. On or about July 18, 2016, located on the pour deck, employees operated a 1 ton Budgit electrically motorized trolley chain hoist, model number BEHC-0116, with a pendant control box that was no longer constructed to prevent electrical shock of 110 volts.

Abatement Note: As indicated in ANSI B30.16 - 2012, it read on page 9 under section 16-1.2.2 Electrical Design (Electric-Powered Hoists Only): "(a) Electrical equipment shall be so located or enclosed that live parts will not be exposed to inadvertent contact under normal operating conditions."

b. On or about July 18, 20116, located on the pour deck, there was a Budgit electrically motorized trolley chain hoist, model number BEHC-0116, without any legible indication of the hoist's capacity, thereby exposing the employees to a burn, struck-by, and/or caught-between hazard.

Abatement Note: As indicated in ANSI B30.16 - 2012, it read on page 8 under section 16-1.1.1 Rated Load: "The rated load of the hoist shall be marked on the hoist or its load block and shall be legible from the ground or floor."

SanCast was previously cited for a violation of this occupational safety and health standard or its equivalent standard Section (5)(a)(1), which was contained in OSHA inspection number 946923, citation number 1, item number 4 and was affirmed as a final order on May 28, 2014, with respect to a workplace located at 535 Clow Lane Coshocton, Ohio 43812.

# ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: Proposed Penalty:

02/06/2017 \$68591.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

Occupational Safety and Health Administration Inspection Date(s): 07/18/2016 - 07/18/2016

**Inspection Number: 1163018** 

**Issuance Date: 01/17/2017** 



#### Citation and Notification of Penalty

Company Name: Sancast, Inc. a subsidiary of Wabtec Inspection Site: 535 Clow Lane, Coshocton, OH 43812

# Citation 2 Item 2 Type of Violation: Repeat

29 CFR 1910.23(c)(1): Every open-sided floor or platform four feet or more above adjacent floor or ground level shall be guarded by a standard railing (or the equivalent as specified in paragraph (e)(3) of this section) on all open sides except where there is entrance to a ramp, stairway, or fixed ladder. The railing shall be provided with a toeboard wherever, beneath the open sides:

a. On or about July 18, 2016, located on the melt deck, there was an opening in a section of standard rail that would not prevent employees from a fall, thereby exposing the employees to a fall of approximately four feet, eight inches.

Sancast was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.23(c)(1) which was contained in OSHA inspection 910120, citation number 1, item number 1 and inspection 946923, citation number 2, item number 1 which was affirmed as a final order on May 28, 2014, with respect to a workplace located at 535 Clow Lane Coshocton, Ohio 43812.

# ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

Proposed Penalty:

02/06/2017 \$78386.00

Occupational Safety and Health Administration Inspection Date(s): 07/18/2016 - 07/18/2016

**Inspection Number:** 1163018

**Issuance Date: 01/17/2017** 



#### Citation and Notification of Penalty

Company Name: Sancast, Inc. a subsidiary of Wabtec Inspection Site: 535 Clow Lane, Coshocton, OH 43812

Citation 2 Item 3 Type of Violation: Repeat

29 CFR 1910.147(c)(4)(ii): The procedures shall clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, the following:

a. On or about July 18, 2016, located at the melt deck at Furnace #1, Furnace #2 and Furnace #3, employees were exposed to machine struck-by and/or caught-between and/or electrical shock hazards due to the employer having an inadequate procedure that did not include specific required information for employees performing servicing/maintenance activities. The procedure did not include: a specific statement of the intended use of the procedure [(c)(4)(ii)(A)], all of the equipment's sources of energy to include steps to isolate an electrical disconnect to a hydraulic pump and to block the gravity of a furnace [(c)(4)(ii)(B)], specific requirements for the placement and removal of lockout devices [(c)(4)(ii)(C)], and specific requirements for verifying the effectiveness of the lockout/tagout devices.

Sancast was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.147(c)(4)(ii)(B), which was contained in OSHA inspection number 946923, citation number 1, item number 6 and was affirmed as a final order on May 28, 2014, with respect to a workplace located at 535 Clow Lane Coshocton, Ohio 43812.

# ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: Proposed Penalty:

02/06/2017 \$48994.00

Occupational Safety and Health Administration Inspection Date(s): 07/18/2016 - 07/18/2016

**Inspection Number: 1163018** 

**Issuance Date:** 01/17/2017



## Citation and Notification of Penalty

Company Name: Sancast, Inc. a subsidiary of Wabtec Inspection Site: 535 Clow Lane, Coshocton, OH 43812

Citation 3 Item 1 Type of Violation: Other-than-Serious

29 CFR 1910.179(g)(1)(i): Wiring and equipment shall comply with subpart S of this part:

a. On or about July 18, 2016, located on the melt deck at a 5 ton Shepard Niles overhead crane, model number 68768, the employer did not ensure that there was no damage to the jacket of the multiple conductor cable to the 110 volt pendant control box.

# ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

Proposed Penalty:

02/06/2017

\$0.00

Larry M. Johnso Area Director

Occupational Safety and Health Administration 200 N. High Street Room 620 Columbus, OH 43215

Phone: 614-469-5582 Fax: 614-469-6791



# INVOICE / DEBT COLLECTION NOTICE

Company Name: Inspection Site:

Sancast, Inc. a subsidiary of Wabtec

535 Clow Lane, Coshocton, OH 43812

Issuance Date:

01/17/2017

Summary of Penalties for Inspection Number	1163018
Citation 1, Serious	\$39908.00
Citation 2, Repeat	\$195971.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$235879.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on <a href="www.pay.gov">www.pay.gov</a>. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on <a href="OSHA Penalty Payment Form">OSHA Penalty Payment Form</a>. The direct link is <a href="https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334">https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334</a>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

<u>Delinquent Charges</u>: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.

Lawrent Lohnson

Area Director

Date

Occupational Safety and Health Administration Columbus Area Office - Region V Federal Office Building - Room 620 200 North High Street Columbus, Ohio 43215-2497 Phone: (614) 469-6791



January 17, 2017

Mr. Dan Opie General Manager Sancast, Inc. a subsidiary of Wabtec 535 Clow Lane Coshocton, Ohio 43812

Dear Mr. Opie:

During the inspection initiated on July 18, 2016, Inspection No. 1163018, conducted at your workplace at 535 Clow Lane Coshocton, Ohio 43812, the following hazards were identified:

1. Employees were exposed to caught-between and/or struck-by injuries due to significant wire rope damage on a 3 ton overhead crane, serial number 131279. The hoisting block that was used for hoisting the loads had sheaves that were too small for the type of wire rope being used by employees.

Since no OSHA standard applies it is not considered appropriate at this time to invoke Section 5(a)(1), the general duty clause of the Occupational Safety and Health Act, no citation will be issued for these hazards. Pursuant to Section 21 of the Act, which authorizes OSHA to train employers and employees about workplace hazards and appropriate abatement methods, it is recommended that the following steps be taken to eliminate or reduce the hazard described above:

- 1. Ensure those performing inspections on wire rope are identifying wire rope deficiencies prior to hoisting.
- 2. Install larger sheaves on hoisting block and/or only use wire rope that at least meets the manufactures D/d ratio in order to reduce bending fatigue.

Management commitment and employee involvement are important to assure that the above efforts are implemented in an effective manner.

This letter need not be posted.

Sincerely,



